

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 14.80.110 of the Lincoln Municipal Code
2 relating to snow and ice removal to provide that the Sidewalk Inspector shall place a written
3 notice on the front door or other conspicuous place on the property ordering the sidewalks
4 along the same or any portion thereof to be cleared immediately and providing a deadline to
5 complete the same of not less than twelve hours after posting the same; and repealing Section
6 14.80.110 of the Lincoln Municipal Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Section 14.80.110 of the Lincoln Municipal Code be amended
9 to read as follows:

10 **14.80.110 Snow and Ice Removal.**

11 Every owner or occupant of any house or other building, or the owner or proprietor,
12 lessee, or person entitled to the possession of any vacant lot, and any person having charge
13 of any church, jail, or public hall, or public building in the city shall, during the winter season
14 and during the time snow shall continue on the ground, before 9:00 a.m. the morning
15 subsequent to the cessation of any snow storm, clear the sidewalks in front of such lots from
16 snow and ice and keep such sidewalks free from snow and ice during the day; provided,
17 however, all owners or occupants of any properties within the area bounded by 7th Street on
18 the west and 17th Street on the east and "K" Street on the south and "R" Street on the north
19 shall before 9:00 a.m. every morning, clear the sidewalks in front of such lots from snow and

1 ice and keep such sidewalks free from snow and ice throughout the day, or in case the snow
2 and ice are so congealed that they cannot be removed without injury to the sidewalk, shall
3 apply sand or approved de-icing agent in sufficient quantities to cause said walk to be safe for
4 pedestrian traffic. Said owner shall also at all times keep such sidewalks clear and free from
5 all dirt or filth, or other obstructions or encroachments so as to allow pedestrians to use said
6 sidewalks with safety. Failure on the part of any person upon whom a duty is placed by the
7 provisions of this section to perform such duty shall be deemed a misdemeanor and punish-
8 able as in this code provided.

9 In case of non-compliance with the provisions of this section, the Sidewalk Inspector
10 may have the walks cleaned and report the cost thereof to the City Council who shall assess
11 the cost thereof against the abutting real estate in the following manner:

12 The Sidewalk Inspector shall place a written notice on the front door or other
13 conspicuous place on the property ordering the sidewalks along the same or any portion
14 thereof to be cleared immediately and providing a deadline to complete the same of not less
15 than twelve hours after posting the same. The Sidewalk Inspector shall, not later than May 1
16 of each year, report to the City Council the location of the sidewalks from which snow and ice
17 has been removed after the required notice, together with the description of the real estate
18 abutting upon such sidewalk, and the cost of the removal of such snow and ice. Whereupon
19 the City Council shall at a regular council meeting, by resolution, assess such cost against such
20 real estate; provided, that notice of the time of such meeting of the City Council for making
21 such assessment and the purpose of such meeting shall be published once in a newspaper
22 published and of general circulation in the city at least five days before said meeting of the
23 council is held; in lieu thereof, notice may be given such owner by personal service thereof

1 five days before such meeting. Such assessment when assessed as provided herein shall be
2 certified by the City Clerk and delivered to the City Treasurer on or before October 1 and shall
3 be collected in the manner provided by law for the collection of general real estate taxes.
4 Such assessment shall be a lien upon such real estate as of October 1 following the date of
5 assessment and shall become delinquent December 1 after the date of assessment, and shall
6 draw interest at the rate of one percent per month from said date until paid. It shall be the duty
7 of the City Treasurer to collect said tax in the same manner and at the same time as general
8 taxes, and the items of said tax shall be receipted for on the same receipt blank as general real
9 estate taxes.

10 Section 2. That Section 14.80.110 of the Lincoln Municipal Code as hitherto
11 existing be and the same is hereby repealed.

12 Section 3. That this ordinance shall take effect and be in force from and after
13 its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor